

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-14, and 16-28 are pending in the present application, Claims 1, 3, 14, 15, 27, and 28 having been amended and Claims 2 and 15 having been canceled without prejudice or disclaimer herein. Support for the amendments to Claims 1, 14, 27, and 28 is found in original Claims 2 and 15, for example, and thus no new matter is added.

In the outstanding Office Action, Claims 1-7, 14-20, 27, and 28 were rejected under 35 U.S.C. §102(b) as anticipated by Maniwa (U.S. Patent No. 5,933,584); Claims 1-7, 14-20, 27, and 28 were rejected under 35 U.S.C. §103(a) as unpatentable over Takeo et al. (U.S. Patent Publication No. 2002/0026538, hereinafter Takeo) in view of Kenner (U.S. Patent Publication No. 2002/0015180), and further in view of Tominaga et al. (U.S. Patent Publication No. 2002/0026538, hereinafter Tominaga); Claims 8, 10-13, 21, and 23-26 were rejected under 35 U.S.C. §103(a) as unpatentable over Maniwa in view of Moskowitz (U.S. Patent Publication No. 2002/0010684); and Claims 9 and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Maniwa in view of Pham et al. (U.S. Patent Publication No. 2001/0044857).

Applicant thanks the Examiners for the courtesy of an interview extended to Applicant's representatives on June 28, 2005. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action. Clarifying claim amendments were also discussed. The Examiner's indicated they would further review such arguments and amendments when a response is filed. Arguments and amendments presented during the interview are reiterated below.

As a preliminary matter, Applicant has amended Claim 28 as discussed during the interview.

During the interview, it was agreed that Takeo and Tominaga are not prior art. Accordingly, it is respectfully requested that all rejections based on Takeo and Tominaga be withdrawn because MPEP §706.02(f)(1), example 3, states that

no benefit of the filing data of the foreign application is given under 35 U.S.C. §102(e) for prior art purposes (*In re Hilmer*, 149 USPQ 480 (CCPA 1966)). Thus a publication and patent of a 35 U.S.C. §111(a) application, which claims benefit under 35 U.S.C. §119(a)-(d) to a prior foreign-filed application (or under 35 U.S.C. 365(a) to an international application), would be accorded its U.S. filing date as its prior art date under 35 U.S.C. 102(e) (emphasis added).

With respect to the rejection of Claim 1 as anticipated by Maniwa, Applicant respectfully submits that Maniwa does not teach or suggest every element of Claim 1, as amended. Amended Claim 1 recites, *inter alia*, “said control unit restricts the hardware resources available in said image formation apparatus for the acquired software component based on the authentication information.” Maniwa does not teach or suggest this element of amended Claim 1.

Maniwa describes a network system for unified business. A print server stores a job style file for each user by user name. The job style file stores printing conditions for each user. Menu software is used to select and call the job style for users specific to a self machine from job style files for individual users residing in the print server file. The contents of the job style file are changed by the workstation and then the modified job style file is again stored in the print server. The job style file, which the outstanding Office Action equates to the claimed “software component,” is not described or suggested to play a part in restricting hardware resources available in said image formation apparatus for the acquired software component based on the authentication information, in contrast to the claimed features.

The outstanding Office Action relies on col. 11, lines 47-53 of Maniwa to describe the restriction of resources. Maniwa at that portion only describes that a plurality of SCSI cards

can be inserted into the extension slot. Maniwa goes on to state "any number of units may be connected within a possible range." Maniwa is describing the number of cards that fit into the extension slot of the imager server. Maniwa clearly does not disclose a restriction of hardware resources available to the acquired software component by a control unit based upon authentication information.

Furthermore, Maniwa does not describe or suggest that the job style file, which the Office Action equates to the claimed "software component," is in any way restricted by the SCSI cards in the extension slot. Thus, Maniwa does not teach or suggest "said control unit restricts resources available in said image formation apparatus for the software components based on the authentication information."

In view of the above-noted distinctions, Applicant respectfully submits that Claim 1 (and Claims 3-13) patentably distinguish over Maniwa. In addition, Applicant respectfully submits that Claims 14 and 16-28 patentably distinguish over Maniwa for at least the reasons stated for Claim 1.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Surinder Sachar
Registration No. 34,423